MINUTES OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

U.S.A. vs Antonio Chavez-Barajas No. 08mj2256

The Court finds excludable delay, under the section indicated by check (✓),
commenced on 7-28-08 and ended on 8-1-08; ( ) (tm)

3161(h)	
___(1)(A)	Exam or hrg for **mental or physical incapacity**
___(1)(B)	**NARA examination** (28:2902)
___(1)(D)	State or Federal trials or **other charges pending**
___(1)(E)	**Interlocutory appeals**
___(1)(F)	**Pretrial motions** (from flg to hrg or other prompt dispo)
___(1)(G)	**Transfers from other district** (per FRCrP 20, 21 & 40)
___(1)(J)	**Proceedings under advisement** not to exceed thirty days
___	Misc proc: Parole or prob rev, deportation, **extradition**
___(1)(H)	**Transportation** from another district or to/from examination or hospitalization in ten days or less
___(1)(I)	Consideration by Court of **proposed plea agreement**
___(2)	**Prosecution deferred** by mutual agreement
X (3)(A)(B)	**Unavailability of defendant** or **essential witness**
___(4)	Period of **mental or physical incompetence** of defendant to stand trial
___(5)	Period of **NARA commitment or treatment**
___(6)	**Superseding indictment and/or new charges**
___(7)	**Defendant awaiting trial of co-defendant** when no severance has been granted
___(8)(A)(B)	**Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance
___(8)(B)(I)	1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. **(Continuance - miscarriage of justice)**
___	2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. **(Continuance - tendered a guilty plea)**
___(8)(B)(ii)	2) **Case** unusual or **complex**
___(8)(B)(iii)	3) **Indictment** following arrest **cannot be filed** in thirty (30) days
___(8)(B)(iv)	4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare **(Continuance re counsel)**
___3161(I)	Time up to **withdrawal of guilty plea**
___3161(b)	**Grand jury indictment time extended** thirty (30) more days

Date 7/28/08

Judge's Initials

A B C D E F G H 6 7 I M N O P R T T1 T2 T3 T4 U W